

**SUMMARY**  
Executive Business Meeting  
Senate Judiciary Committee  
Thursday, April 25, 2002  
226 Dirksen Senate Office Building  
10:00 a.m.

**I. Nominations**

To be United States Marshal:

Gorden Edward Eden, Jr. for the District of New Mexico  
David Phillip Gonzales for the District of Arizona  
Ronald Henderson for the Eastern District of Missouri  
John Lee Moore for the Eastern District of Texas  
John Edward Quinn for the Northern District of Iowa  
Charles M. Sheer for the Western District of Missouri  
Edward Zahren for the District of Colorado

**[Reported favorably en bloc by voice vote.]**

**II. Bills**

S. 2031, Intellectual Property Protection Restoration Act of 2002  
[Leahy/Brownback]

**[Held Over]**

S. 2010, Corporate and Criminal Fraud Accountability Act of 2002  
[Leahy/Daschle/Durbin]

**[Leahy substitute amendment to S. 2010 was approved by unanimous consent.]**

**[Hatch/Leahy/Schumer amendment relating to the destruction of corporate audit records and federal sentencing guidelines was approved by a vote of 18 yeas, 0 nays, 1 pass.]**

**[Grassley/Leahy amendment relating to protection of employees from retaliation in fraud cases was approved by voice vote.]**

**[Hatch second degree amendment to the Feinstein amendment to modify the statute of limitations provision failed by a vote of 7 yeas, 11 nays, 1 pass.]**

**[Feinstein/Cantwell amendment to modify the statute of limitations provision (2 years) was approved by voice vote.]**

**[S. 2010, ordered reported favorably, as amended, by an amendment in the nature of a substitute, by unanimous consent.]**

S.1974, Federal Bureau of Investigation Reform Act of 2002 [Leahy/Grassley]

**[Leahy substitute amendment to S. 1974 was approved by unanimous consent]**

**[S.1974, reported favorably, as amended, by an amendment in the nature of a substitute, by unanimous consent.]**

S. 848, Social Security Number Misuse Prevention Act of 2001 [Feinstein/Gregg]

**[Held Over]**

S. 1742, Restore Your Identity Act of 2001 [Cantwell]

**[Held Over]**

S. 410, A bill to amend the Violence Against Women Act of 2000 by expanding legal assistance for victims of violence grant program to include assistance for victims of dating violence. [Crapo/Craig/Wellstone/Biden]

**[Reported favorably by unanimous consent.]**

### **III. Resolutions**

S. Res. 245, Designating the Week of May 5 through May 11, 2002 as "National Occupational Safety and Health Week" [Durbin/Brownback/Feingold]

S. Res. 109, A resolution designating the second Sunday in the month of December as "National Children's Memorial Day" and the last Friday in the month of April as "Children's Memorial Flag Day" [Reid/Edwards]

S. Res. 249, A resolution designating April 30, 2002, as "Dia de los Ninos: Celebrating Young Americans" [Hatch]

S. Con. Res. 102, A concurrent resolution proclaiming the week of May 4 through May 11, 2002, as "National Safe Kids Week" [Dodd]

**[Reported favorably en bloc by unanimous consent, with a Leahy amendment to S. Res. 109.]**

### **IV. Committee Business**

Committee Resolution to Authorize Antitrust Subpoena

**[Approved by unanimous consent.]**

# SENATE JUDICIARY COMMITTEE

DATE OF MARK-UP: April 25, 2002

[Time: 10:00 a.m.]

MEMBERS	PRESENT
Mr. Kennedy	
Mr. Biden	
Mr. Kohl	X
Mrs. Feinstein	X
Mr. Feingold	X
Mr. Schumer	X
Mr. Durbin	X
Ms. Cantwell	X
Mr. Edwards	
Mr. Hatch	X
Mr. Thurmond	
Mr. Grassley	X
Mr. Specter	
Mr. Kyl	
Mr. DeWine	X
Mr. Sessions	
Mr. Brownback	X
Mr. McConnell	
Mr. Leahy, Chairman	X

# SENATE JUDICIARY COMMITTEE

DATE: April 25, 2002

VOTE ON: Motion to report favorably the nominations of Gorden Edward Eden, Jr., David Phillip Gonzales, Ronald Henderson, John Lee Moore, John Edward Quinn, Charles M. Sheer and Edward Zahren to be United States Marshals.

**Reported favorably by voice vote.**

MEMBERS INDICATED WERE PRESENT WHEN THE MOTION OCCURRED

MEMBERS	PRESENT
Mr. Kennedy	
Mr. Biden	
Mr. Kohl	X
Mrs. Feinstein	X
Mr. Feingold	X
Mr. Schumer	X
Mr. Durbin	X
Ms. Cantwell	X
Mr. Edwards	
Mr. Hatch	X
Mr. Thurmond	
Mr. Grassley	X
Mr. Specter	
Mr. Kyl	
Mr. DeWine	
Mr. Sessions	
Mr. Brownback	X
Mr. McConnell	
Mr. Leahy, Chairman	X

SENATE JUDICIARY COMMITTEE

DATE: April 25, 2002

VOTE ON: Motion to report favorably S. 2031, the Intellectual Property Protection Restoration Act of 2002.

**Held Over**

MEMBERS INDICATED WERE PRESENT WHEN THE MOTION OCCURRED

MEMBERS	PRESENT
Mr. Kennedy	
Mr. Biden	
Mr. Kohl	X
Mrs. Feinstein	X
Mr. Feingold	X
Mr. Schumer	X
Mr. Durbin	X
Ms. Cantwell	X
Mr. Edwards	
Mr. Hatch	X
Mr. Thurmond	
Mr. Grassley	X
Mr. Specter	
Mr. Kyl	
Mr. DeWine	
Mr. Sessions	
Mr. Brownback	X
Mr. McConnell	
Mr. Leahy, Chairman	X

SENATE JUDICIARY COMMITTEE

DATE: April 25, 2002

VOTE ON: Motion to approve a Leahy substitute to S. 2010.

**Approved by unanimous consent.**

MEMBERS INDICATED WERE PRESENT WHEN THE MOTION OCCURRED

MEMBERS	PRESENT
Mr. Kennedy	
Mr. Biden	
Mr. Kohl	X
Mrs. Feinstein	X
Mr. Feingold	X
Mr. Schumer	X
Mr. Durbin	X
Ms. Cantwell	X
Mr. Edwards	
Mr. Hatch	X
Mr. Thurmond	
Mr. Grassley	X
Mr. Specter	
Mr. Kyl	
Mr. DeWine	
Mr. Sessions	
Mr. Brownback	X
Mr. McConnell	
Mr. Leahy, Chairman	X

# SENATE JUDICIARY COMMITTEE

DATE: April 25, 2002

VOTE ON: Motion to approve a Leahy/Hatch/Schumer amendment relating to the destruction of corporate audit records and federal sentencing guidelines.

**Approved by a vote of 18, yeas, 0 nays, 1 pass.**

YEAS	NAYS	
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P		Mr. Kennedy
P		Mr. Biden
X		Mr. Kohl
X		Mrs. Feinstein
X		Mr. Feingold
X		Mr. Schumer
X		Mr. Durbin
X		Ms. Cantwell
P		Mr. Edwards
X		Mr. Hatch
P		Mr. Thurmond
X		Mr. Grassley
-----	-----	Mr. Specter
P		Mr. Kyl
P		Mr. DeWine
P		Mr. Sessions
X		Mr. Brownback
P		Mr. McConnell
X		Mr. Chairman
18	0	TOTAL

# SENATE JUDICIARY COMMITTEE

DATE: April 25, 2002

VOTE ON: Motion to approve a Leahy/Grassley amendment relating to protection of employees from retaliation in fraud cases.

**Approved by voice vote.**

MEMBERS INDICATED WERE PRESENT WHEN THE MOTION OCCURRED



MEMBERS	PRESENT
Mr. Kennedy	
Mr. Biden	
Mr. Kohl	X
Mrs. Feinstein	X
Mr. Feingold	X
Mr. Schumer	X
Mr. Durbin	X
Ms. Cantwell	X
Mr. Edwards	
Mr. Hatch	X
Mr. Thurmond	
Mr. Grassley	X
Mr. Specter	
Mr. Kyl	
Mr. DeWine	
Mr. Sessions	
Mr. Brownback	X
Mr. McConnell	
Mr. Leahy, Chairman	X

# SENATE JUDICIARY COMMITTEE

DATE: April 25, 2002

VOTE ON: Motion to approve a Hatch second degree amendment to a Feinstein amendment that would modify the statute of limitations provision.

**Failed by a vote of 7 yeas, 11 nays, 1 pass.**

YEAS	NAYS	
	P	Mr. Kennedy

	P	Mr. Biden
	X	Mr. Kohl
	X	Mrs. Feinstein
	X	Mr. Feingold
	X	Mr. Schumer
	X	Mr. Durbin
	X	Ms. Cantwell
	P	Mr. Edwards
X		Mr. Hatch
P		Mr. Thurmond
X		Mr. Grassley
-----	-----	Mr. Specter
P		Mr. Kyl
X		Mr. DeWine
P		Mr. Sessions
	X	Mr. Brownback
X		Mr. McConnell
	X	Mr. Chairman
7	11	TOTAL

# SENATE JUDICIARY COMMITTEE

DATE: April 25, 2002

VOTE ON: Motion to report S. 2010, as amended, by an amendment in the nature of a substitute.

**Ordered reported favorably by unanimous consent.**

MEMBERS INDICATED WERE PRESENT WHEN THE MOTION OCCURRED

MEMBERS	PRESENT
Mr. Kennedy	
Mr. Biden	
Mr. Kohl	X

Mrs. Feinstein	X
Mr. Feingold	X
Mr. Schumer	X
Mr. Durbin	X
Ms. Cantwell	X
Mr. Edwards	
Mr. Hatch	X
Mr. Thurmond	
Mr. Grassley	X
Mr. Specter	
Mr. Kyl	
Mr. DeWine	X
Mr. Sessions	
Mr. Brownback	X
Mr. McConnell	
Mr. Leahy, Chairman	X

# SENATE JUDICIARY COMMITTEE

DATE: April 25, 2002

VOTE ON: Motion to approve a Leahy substitute to S. 1974.

**Approved by unanimous consent.**

MEMBERS INDICATED WERE PRESENT WHEN THE MOTION OCCURRED

MEMBERS	PRESENT
Mr. Kennedy	
Mr. Biden	
Mr. Kohl	X

Mrs. Feinstein	X
Mr. Feingold	X
Mr. Schumer	X
Mr. Durbin	X
Ms. Cantwell	X
Mr. Edwards	
Mr. Hatch	X
Mr. Thurmond	
Mr. Grassley	X
Mr. Specter	
Mr. Kyl	
Mr. DeWine	
Mr. Sessions	
Mr. Brownback	X
Mr. McConnell	
Mr. Leahy, Chairman	X

# SENATE JUDICIARY COMMITTEE

DATE: April 25, 2002

VOTE ON: Motion to report favorably S. 1974, as amended.

**Reported favorably, as amended, by an amendment in the nature of a substitute, by unanimous consent.**

MEMBERS INDICATED WERE PRESENT WHEN THE MOTION OCCURRED

MEMBERS	PRESENT
Mr. Kennedy	
Mr. Biden	
Mr. Kohl	X

Mrs. Feinstein	X
Mr. Feingold	X
Mr. Schumer	X
Mr. Durbin	X
Ms. Cantwell	X
Mr. Edwards	
Mr. Hatch	X
Mr. Thurmond	
Mr. Grassley	X
Mr. Specter	
Mr. Kyl	
Mr. DeWine	
Mr. Sessions	
Mr. Brownback	X
Mr. McConnell	
Mr. Leahy, Chairman	X

## SENATE JUDICIARY COMMITTEE

DATE: April 25, 2002

VOTE ON: Motion to report favorably S. 848, the social Security Number Misuse Prevention Act of 2001.

### **Held Over**

MEMBERS INDICATED WERE PRESENT WHEN THE MOTION OCCURRED

MEMBERS	PRESENT
Mr. Kennedy	
Mr. Biden	
Mr. Kohl	X
Mrs. Feinstein	X

Mr. Feingold	X
Mr. Schumer	X
Mr. Durbin	X
Ms. Cantwell	X
Mr. Edwards	
Mr. Hatch	X
Mr. Thurmond	
Mr. Grassley	X
Mr. Specter	
Mr. Kyl	
Mr. DeWine	
Mr. Sessions	
Mr. Brownback	X
Mr. McConnell	
Mr. Leahy, Chairman	X

# SENATE JUDICIARY COMMITTEE

DATE: April 25, 2002

VOTE ON: Motion to report favorably S. 1742, the Restore Your Identity Act of 2001..

## **Held Over**

MEMBERS INDICATED WERE PRESENT WHEN THE MOTION OCCURRED

MEMBERS	PRESENT
Mr. Kennedy	
Mr. Biden	
Mr. Kohl	X
Mrs. Feinstein	X

Mr. Feingold	X
Mr. Schumer	X
Mr. Durbin	X
Ms. Cantwell	X
Mr. Edwards	
Mr. Hatch	X
Mr. Thurmond	
Mr. Grassley	X
Mr. Specter	
Mr. Kyl	
Mr. DeWine	
Mr. Sessions	
Mr. Brownback	X
Mr. McConnell	
Mr. Leahy, Chairman	X

#### SENATE JUDICIARY COMMITTEE

DATE: April 25, 2002

VOTE ON: Motion to report S. 410, a bill to amend the Violence Against Women Act of 2000 by expanding legal assistance for victims of violence grant program to include assistance for victims of dating violence.

**Reported favorably by unanimous consent.**

MEMBERS INDICATED WERE PRESENT WHEN THE MOTION OCCURRED

MEMBERS	PRESENT
Mr. Kennedy	
Mr. Biden	
Mr. Kohl	X

Mrs. Feinstein	X
Mr. Feingold	X
Mr. Schumer	X
Mr. Durbin	X
Ms. Cantwell	X
Mr. Edwards	
Mr. Hatch	X
Mr. Thurmond	
Mr. Grassley	X
Mr. Specter	
Mr. Kyl	
Mr. DeWine	
Mr. Sessions	
Mr. Brownback	X
Mr. McConnell	
Mr. Leahy, Chairman	X

#### SENATE JUDICIARY COMMITTEE

DATE: April 25, 2002

VOTE ON: Motion to report favorably S. Res. 245, Designating the Week of May 5 through May 11, 2002 as "National Occupational Safety and Health Week;" S. Res. 109, **as amended**, a resolution designating the second Sunday in the month of December as "National Children's Memorial Day" and the last Friday in the month of April as "Children's Memorial Flag Day;" S. Res. 249, a resolution designating April 30, 2002 as "Día de los Niños: Celebrating Young Americans;" and, S. Con Res. 102, a concurrent resolution proclaiming the week of May 4 through May 11, 2002, as "National Safe Kids Week."

**Reported favorably by unanimous consent.**

MEMBERS INDICATED WERE PRESENT WHEN THE MOTION OCCURRED

MEMBERS	PRESENT
Mr. Kennedy	
Mr. Biden	
Mr. Kohl	X
Mrs. Feinstein	X



Mr. Feingold	X
Mr. Schumer	X
Mr. Durbin	X
Ms. Cantwell	X
Mr. Edwards	
Mr. Hatch	X
Mr. Thurmond	
Mr. Grassley	X
Mr. Specter	
Mr. Kyl	
Mr. DeWine	
Mr. Sessions	
Mr. Brownback	X
Mr. McConnell	
Mr. Leahy, Chairman	X

# SENATE JUDICIARY COMMITTEE

DATE: April 25, 2002

VOTE ON: Motion to approve a Committee Resolution to Authorize Antitrust Subpoena.

**Approved by unanimous consent.**

MEMBERS INDICATED WERE PRESENT WHEN THE MOTION OCCURRED

MEMBERS	PRESENT
Mr. Kennedy	
Mr. Biden	
Mr. Kohl	X
Mrs. Feinstein	X
Mr. Feingold	X
Mr. Schumer	X

Mr. Durbin	X
Ms. Cantwell	X
Mr. Edwards	
Mr. Hatch	X
Mr. Thurmond	
Mr. Grassley	X
Mr. Specter	
Mr. Kyl	
Mr. DeWine	
Mr. Sessions	
Mr. Brownback	X
Mr. McConnell	
Mr. Leahy, Chairman	X